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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/852,924	05/10/2001	Stephan F. Jou	240703-1180	5840
23506	7590	06/30/2004	EXAMINER	
GARDNER GROFF, P.C. PAPER MILL VILLAGE, BUILDING 23 600 VILLAGE TRACE SUITE 300 MARIETTA, GA 30067			JANKUS, ALMIS R	
			ART UNIT	PAPER NUMBER
			2671	8

DATE MAILED: 06/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/852,924

Applicant(s)

JOU ET AL

Examiner

Almis R Jankus

Art Unit

2671

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-29 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11-29 is/are allowed.
- 6) ☒ Claim(s) 2-10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

1. Applicants' amendment of 3/5/04 has been considered in preparing this office action.

2. Claims 2-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lu et al. in view of admitted prior art (APA) and further in view of Selfridge et al.

Lu et al. Rendered obvious claim 2 by teaching the claimed "detecting the onset of conditions requiring frequent repainting of the screen" and "partly repainting the screen" at column 23 line 60 to column 25 line 21.

While Lu et al. Teaches the partly repainting upon detection of frequent repainting, it is noted that Lu et al. does not explicitly teach "obtaining from the operating system information necessary for repainting", "checking whether conditions of step a. still apply", and "repeating steps b. through d. until the conditions of step a. no longer apply".

However, an application interaction with a user and an operating system was well known and is admitted by applicants as APA at page 4 of the specification. It would have been obvious to use the teaching of Lu et al. with a conventional GUI based

operating system because higher performance can be achieved by lowering the resolution when the camera is moving.

Further, Lu et al. Does not explicitly teach using graphics for presentation of business data. However, Selfridge et al. teaches this at column 1. It would have been obvious to use computer graphics for business data because it would improve data exploration and analysis, as taught at Selfridge et al. at the top of column 3.

Claim 2 further requires the application to be a graphic visualization application. Lu et al. Teaches this at the abstract.

Claim 3 further requires steps a., b., and d. to be carried out based on messages sent by the operating system to the application's message queue. This would have been obvious in view of the APA.

Claim 4 further requires the operating system to be MS Windows operating system. This would have been obvious in view of APA.

Claim 5 further requires the screen to display a graphically complex visualization scene. Lu et al. Teaches this at column 11 lines 14-25.

Claim 6 further requires the conditions requiring frequent repainting of the screen to be a result of an navigation operation initiated by an application user. Lu et al. Teaches this as a user choosing a camera movement, at column 25 lines 17-21.

Claim 7 further requires the scene to be navigated with an input device. Lu et al. Teaches this at column 27 lines 8-17.

Claim 8 further requires the input device to be a mouse or a keyboard. This would have been obvious as well known ordinary input devices.

Claim 9 further requires the navigation operation to be selected from the group consisting of panning, rotating and zooming. Lu et al. Teaches these features as rotation and translation at column 13 lines 50-57, and scaling at column 18 lines 38-51.

Claim 10 further requires the scene to be represented in the computer system as a scene graph. Lu et al. Teaches this at column 11 lines 5-10.

3. Claims 11-29 are allowed.

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Almis R Jankus whose telephone number is 703-305-9795. The examiner can normally be reached on M-F, 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Zimmerman can be reached on 703-305-9798. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AJ



ALMIS R. JANKUS
PRIMARY EXAMINER